ANNUAL 2016 REPORT

SASKATCHEWAN
advocate
a Voice for Children and Youth

Letter of Transmittal

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a Voice for Children and Youth

Letter of Transmittal

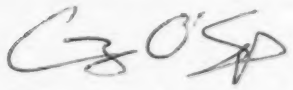
April 25, 2017

The Honourable Corey Tochor
Speaker of the Legislative Assembly
Legislative Building
2405 Legislative Drive
Regina SK S4S 0B3

Dear Mr. Speaker:

In accordance with section 39 of *The Advocate for Children* and Youth Act, it is my duty and privilege to submit to you and members of the Legislative Assembly of Saskatchewan my first annual report of the Advocate for Children and Youth for the year 2016.

Respectfully,



Corey O'Soup
Advocate for Children and Youth

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While the Saskatchewan Advocate for Children and Youth's office is in Saskatoon, we deliver programs and services throughout Saskatchewan.

Photography: All photographs are stock photographs using ordinary youth as models unless captions are provided. Photographs that are not stock photographs are courtesy of staff at the Advocate for Children and Youth.

Message from the Advocate

I am honoured to be appointed as the fourth Advocate for Children and Youth for the Province of Saskatchewan as of November 1, 2016. As a First Nations person and former educator, I look forward to serving as an independent voice for children and youth and, particularly, for our most vulnerable population, First Nations and Métis children and youth.

I am pleased to present you with the 2016 Annual Report and wish to acknowledge the significant contribution of my predecessor, Mr. Pringle. Mr. Pringle's passion and dedication to children and youth was not only evident throughout his term but also reflected in this report encompassing his work as Advocate to October 31, 2016.

This year's report reflects our advocacy on behalf of children, youth, and their families in 2016 and sets out my vision for the future direction of the Advocate's office. I would like to acknowledge the government and community organizations for their hard work on behalf of the children and youth of our province, but also wish to acknowledge there is still much to accomplish to ensure all children and youth are thriving in Saskatchewan.

My vision is to increase dialogue and engagement, to forge cohesive relationships with children and youth, stakeholders, community members, as well as our First Nations and Métis partners. My goal is to work with our partners to find solutions that are actionable and preventative in nature. With this focus in mind, I have identified four main areas of priority as the foundation for my tenure.

My first priority is to foster positive relationships with our First Nations and Métis partners and work to reduce the number of First Nations and Métis children and youth in care in the province. This will require collaboration, authentic engagement and dialogue with our First Nations and Métis partners to transform all systems and ensure the needs of all children and youth are met.

My second priority is to ensure our education system is appropriate for all children and youth and meets the unique needs of First Nations and Métis children, youth and their families. As an educator, I believe education is the key to changing the future. All children need an early year's program to ensure they get a good start and guarantee they are school ready. Once in school, we need to find innovative and creative ways to keep students engaged and foster an environment that ensures the best outcome for their learning and development. Implementing adequate and appropriate strategies in education provides our young people with the best opportunity for their future success.

My third priority is to ensure children and youth have access to adequate and appropriate mental health services. A more simplified and coordinated system between health and education, offered through the schools, would better serve children, youth and their families. The recent suicides in northern Saskatchewan are indicative of the lack of mental health resources being readily available in these communities. In the Fall of 2016, six young girls died from suicide in four short weeks. Sadly, since this time, there have been many more suicides and attempts by youth. Our team has spent hours meeting with community members and youth affected by this tragedy. I will be releasing a detailed report on our province's suicide crisis later this year, which will offer youth focused recommendations to our province on how to ensure that we are moving forward in a positive, proactive way for our most vulnerable children. The issue of youth suicide is not found just in the north, but across Saskatchewan and Canada. We need to do more than simply respond to a crisis. We need to work together to find long term sustainable solutions.

My fourth priority is to ensure children and youth are supported and empowered to use their voice and to be advocates within their communities. Our young people know best what challenges they face, what is impacting them, and what they need. Our office is the voice of children and youth in Saskatchewan, and I want to give that voice back to them. It is not our job to interpret or filter their voice but to take it and share it as is, so that our solutions are coming from them. We will support youth driven initiatives and empower youth to be the best determinants of their success. By listening to young people, supporting and working alongside them, we will assist in the positive change they seek for their future.

None of the above can be achieved without investing in children, youth and their families. Over the years, our office has advocated alongside families and children who are simply asking for the investment of supports and programs to lift them out of poverty, unhealthy lifestyles, crime and dependency on social programs. Unfortunately, these very supports and programs that will determine their future, are often the first to face budgetary cuts. An investment in children and youth now not only ensures their future, but also ensures they become a vital part of our province's future. Our province must support our most vulnerable to truly make a difference.

Children and youth have rights that must be respected. An equal standard of care and support, education, access to services, and participation are rights that all young people have. It is incumbent on us to ensure that we honor these so that all children and youth are afforded every opportunity to maximize their potential.

I am deeply committed to the children and youth of this province. Our office will be proactive, engaging with our stakeholders and partners, to ensure that we are working together to give all children in Saskatchewan a better future.

Respectfully submitted,

Corey O'Soup
Advocate for Children and Youth

The Framework of Our Advocacy

Respecting children's rights is fundamental to ensuring that we live in the kind of just, equitable and free society which we value as Canadians.

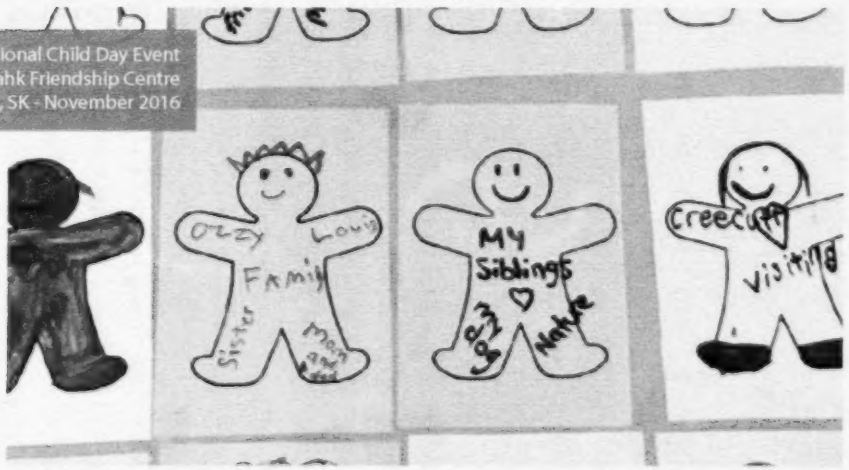
The Advocate for Children and Youth is an independent officer of the Legislative Assembly of Saskatchewan. The Advocate works to advance the rights of children and youth as articulated in the United Nations *Convention on the Rights of the Child* (Convention). The Convention is an international human rights treaty that sets out the minimum rights and freedoms for children and youth that are to be respected by governments. Canada ratified the Convention 25 years ago, on December 13, 1991. The 54 articles in the Convention are often categorized into three areas: *protection* from harm such as abuse and neglect; *provision* of the resources needed to grow and develop, such as food, shelter, education and health care; and *participation* in matters that affect them. Respecting children's rights is fundamental to ensuring that we live in the kind of just, equitable and free society which we value as Canadians.

Our work is also guided by *Saskatchewan's Children and Youth First Principles*, which are based on the Convention. The Government of Saskatchewan adopted these principles in 2009, agreeing that all children and youth in Saskatchewan are entitled to:

- Those rights defined by the United Nations Convention *on the Rights of the Child.*
- Participate and be heard before any decision affecting them is made.
- Have their best interests given paramount consideration in any action or decision involving them.
- An equal standard of care, protection and services.
- The highest standard of health and education possible to reach their fullest potential.
- Safety and protection from all forms of physical, emotional and sexual harm, while in the care of parents, governments, legal guardians or any person.
- Be treated as the primary client, and at the centre of all child-serving systems.
- Have consideration given to the importance of their unique life history and spiritual traditions and practices, in accordance with their stated views and preferences.

In 2011, our office adopted the principles contained in the *Touchstones of Hope for Indigenous Children, Youth and Families: Reconciliation in Child Welfare (Touchstones).* These principles were developed by the First Nations Child and Family Caring Society of Canada. The *Touchstones* are intended to guide a reconciliation process for those involved in child welfare. However, they are transferable across a variety of sectors. Reconciliation engages both First Nations and non-First Nation people in a process of:

- **Relating:** Working respectfully together to design, implement, and monitor the new child welfare system.
- **Restoring**: Doing what we can to redress the harm and making changes to ensure it does not happen again.
- **Truth Telling:** Telling the story of child welfare as it has affected Indigenous children, youth and families, and
- **Acknowledging:** Learning from the past, seeing one another with new understanding, and recognizing the need to move forward to a new path.



National Child Day Event
Kikinahk Friendship Centre
La Ronge, SK - November 2016

The *United Nations Convention on the Rights of the Child, Saskatchewan's Children and Youth First Principles, and the Touchstones of Hope for Indigenous Children, Youth and Families: Reconciliation in Child Welfare* form the framework our office uses to advocate with, and for, children and youth. We encourage all service providers to implement these principles and use them to guide their own work with children and youth.

Our Vision and Mandate

The Advocate leads a team of professionals to advocate for the rights, interests, and well-being of children and youth in Saskatchewan. Our objective is to inform and influence all levels of government service delivery and decision-making to achieve better outcomes for children and youth in Saskatchewan.

- **Our vision** is that the rights, interests and well-being of children and youth are honoured, respected and valued in Saskatchewan communities and in government legislation, policy, programs, and practice.
- **Our mandate** is defined by The Advocate for Children and Youth Act, interpreted through a child rights lens. We do:
- **Public education** to raise awareness of the rights, interests and well-being of children and youth.
- **Advocacy** on behalf of children and youth receiving services from a provincial ministry, direct or delegated agency or publicly-funded health entity.
- **Investigations** into any matter concerning or services provided to children and youth by a provincial ministry, direct or delegated agency or publicly funded health entity.
- **Research** on issues affecting children and youth; and we can advise any minister responsible on any matter relating to the rights, interests and well-being of children and youth.

Public Education: Raising Awareness of Children's Rights

Organizations are reminded and taught how to keep children and youth at the forefront of all their planning to ensure their rights and needs are being respected.

Due to their vulnerability and dependence, upholding the rights of children and youth is crucial. We have found that when children's rights are overlooked, it is often due to lack of awareness and understanding. Public education is one of the most important aspects of our work. We conduct presentations and outreach with children, youth, and organizations to promote children's rights and to raise awareness of the services our office provides.

Every year, November 20 is the day to celebrate children's rights around the world. In Canada, it was proclaimed in 1993 as National Child Day. While we educate people about children's rights throughout the year, the week of November 20 is a time to give the Convention and children's rights special attention.

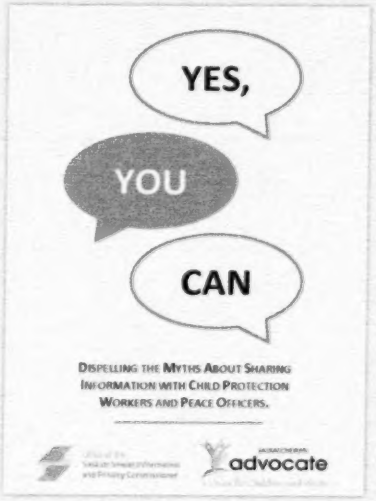
In 2016, advocates attended events in La Ronge and Regina.

Meeting with children, youth, and stakeholders in their own communities increases our understanding about the issues, barriers, strengths and challenges faced. This allows us to strengthen collaboration and partnerships to achieve better outcomes for children and youth. Organizations are reminded and taught how to keep children and youth at the forefront of all their planning to ensure their rights and needs are being respected. Children and youth learn about their rights and how our office can support them.

Public education leads to advocacy by empowering children and youth. They gain a better understanding of their rights and responsibilities, as do their natural allies such as other youth, parents, teachers, coaches, community members, service providers and so on. After hearing a presentation, we often get calls requesting assistance, thereby confirming that public education has a direct link to advocacy.

A list of organizations we engaged with for this year's public education activities is located at the end of this report (Appendix A).

In cooperation with the Office of the Information and Privacy Commissioner, the Advocate for Children and Youth created this document which outlines parameters for information sharing. It has been distributed to partners and stakeholders across the province.



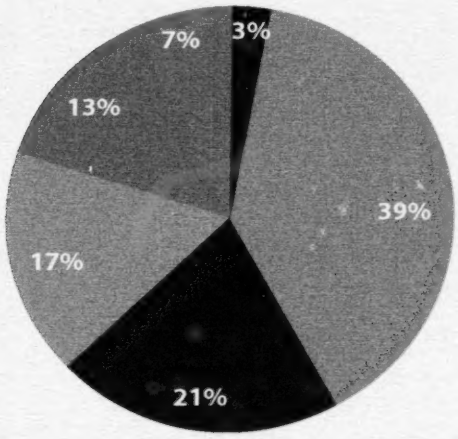
Advocacy:
Providing Guidance and Influencing Change

Our office advocates for children and youth individually and systemically. Child and youth-serving systems can be complex and overwhelming for those on the receiving end of the services. Sometimes children, youth, and their families need extra support and guidance to ensure they are receiving the services they are entitled to. Through individual advocacy, we assist children, youth, and their families with navigating these systems. Children and youth know best what they need. Having them participate in planning keeps them engaged, teaches them how to advocate for themselves, empowers them to speak up, and fosters success.

Systemic advocacy focuses on influencing and changing government and community organizations that serve children and youth. Our office encourages these systems to continually strive for effectiveness and responsiveness in meeting the needs of those they serve via changes to legislation, policy, programs, and practice. By identifying themes and trends, and working collaboratively, a preventative and proactive approach towards service improvements can be taken. Working towards broad system changes contributes to better outcomes overall.

National Child Day Event
Kikinahk Friendship Centre
La Ronge, SK. – November 2016

Who Contacted the Advocate for Children and Youth in 2016*



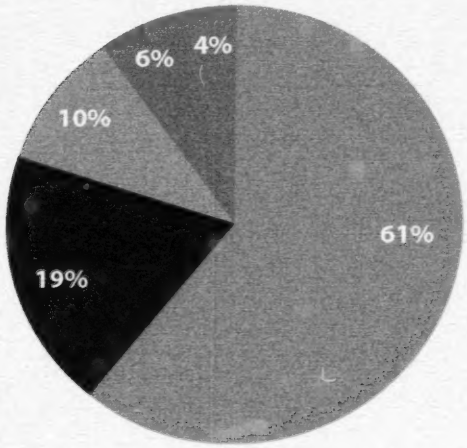
- Parent (39%)
- Child or Youth (21%)
- Extended Family (17%)
- Professional (13%)
- Other (7%)
- Foster Parent (3%)

*Advocacy Files Only

Parent includes parents, stepparents, non-custodial parents, legal guardians, caregivers, alternative caregivers, and persons of sufficient interest.

Other includes interested third parties such as band officials, babysitters, neighbours, or anonymous callers.

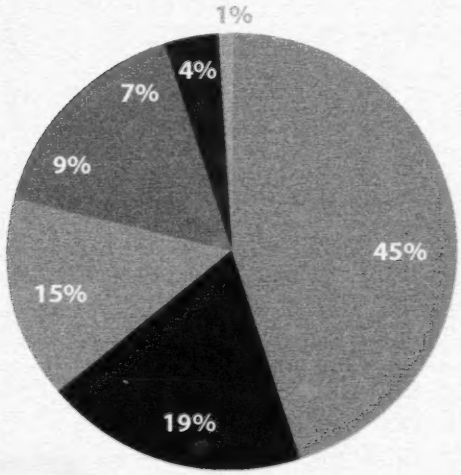
Issues Recieved About Services Provided by a Ministry or Agency in 2016*



- Ministry of Social Services (61%)
- Ministry of Justice (19%)
- First Nations and Family Services Agencies (10%)
- Ministry of Education (6%)
- Ministry of Health (4%)

*Advocacy Files for Ministries Within Our Jurisdiction

Most Common Issues for the Advocate for Children and Youth in 2016



- Case Planning and Case Management Issues (45%)
- General Inquiry/Other (19%)
- Right Issues (15%)
- Lack of Services & Supports/Timelines of Services (9%)
- Custody and Access (7%)
- Quality of Care Issues (4%)
- Independent Legal Representations (1%)

General Inquiry/Other represents issues that require a referral to another resource or agency.

All children have the right to the highest standard of education possible. Unfortunately, many of Saskatchewan's children are not in school on any given day.

Our statistics continue to illustrate that the majority of our calls are regarding services provided by the Ministry of Social Services and the Ministry of Justice. Most of the concerns revolve around:

- disagreements with the ministry's assessment, case plan, or the placement when children are in care;
- lack of contact with their workers; and
- lack of support services, especially access to mental health resources.

Mistreatment by authority personnel is another commonly reported concern, especially regarding staff working in youth custody facilities. Our office often hears that workers are not taking the time to engage youth about their plan, so that the child, youth, or caregiver fully understands. We also hear that youth often feel disrespected by workers. Specific to youth custody facilities, we are told staff are quick to consequence and at times do not believe youth when they report feeling ill or have other medical concerns.

Denial or lack of family visitation continues to be the most reported rights based issue. Denial of medical treatment, education and basic needs are also regularly reported to our office.

We also receive a considerable number of calls related to quality of care that pertain to conditions in youth custody facilities – concerns with food quality, placing youth in rooms with other youth due to overcrowding, and having open custody in the same facility as secure custody.

The above issues are persistent matters that need to be addressed with long term solutions. Children are entitled to a high standard of care, protection, and services. We acknowledge many workers are in very demanding positions with many complex and challenging situations to manage, so it is imperative that workers are provided with sufficient resources and supports. Children, youth and families deserve nothing less than to be treated with respect. Keeping children and youth at the center of all planning, upholding their rights, and providing supports to meet their needs, allows them the opportunity to reach their full potential.

Our office does not have jurisdiction over custody and access in family law matters, but we continue to receive over one hundred calls per year from families. In these cases, we provide referrals to other resources, such as the Ministry of Justice, Family Matters Program. Their expertise is crucial in supporting families through separation and divorce.

We also continue to see an increase in calls directly from children and youth. It is encouraging that these children and youth are aware of their right to contact the Advocate and felt empowered to seek out advocacy services from our office.

Longstanding Issues

The following systemic issues, raised in our past three annual reports, are among many that our office has vigorously advocated for over the past several years. Effectively supporting the needs of families, children and youth in this province, requires collaboration, commitment, and a desire to work together to find creative solutions to address these longstanding issues. The lagging implementation of the recommendations of the Poverty Reduction Strategy, the Mental Health Action Plan, and the Early Years Plan is an indication that the systemic changes required to provide effective prevention and intervention are not at the forefront. In addition, meeting the spirit and intent of the recommendations of the Child Welfare Review Panel[1] has not occurred, despite it being more than six years since the recommendations were made. Those recommendations were considered the way forward, particularly for our First Nations and Mètis children.

We simply cannot continue to accept that the creation of meaningful changes and better outcomes for children and youth can only be made when fiscal challenges are addressed. We need to work together to use our existing resources to re-think and re-imagine how services are provided to truly transform the child and youth serving systems in our province.

The issues presented in this year's annual report reflect, in summary, what our office has specifically engaged in this past year.

Access to education

All children have the right to the highest standard of education possible. Unfortunately, many of Saskatchewan's children are not in school on any given day. Some of the challenges include:

- **Lack of capacity, funding, and supports**

  Many schools in our province, in particular on-reserve schools, need more dedicated resources to effectively address the learning needs of all children. This includes supporting children with mental and physical disabilities, as well as those with disruptive behaviours. Resources such as education assistants, therapists, counsellors, speech and language pathologists, and suitable infrastructure are needed. Children with challenging disabilities are not always accommodated. Too often, disruptive behaviours result in suspensions or expulsions rather than effective interventions and support.

  Our office receives calls related to children and youth residing in group homes or who are involved with the justice system being refused an education placement. All children and youth have the right to an education. Allowing children to languish without

proper planning and support is a denial of this fundamental right.

Often there is no plan for the child to continue their education or the plan that is suggested, such as, expecting the student to engage in online courses or for caregivers to homeschool, is not feasible. The Advocate believes it is unrealistic to expect that children and youth will succeed if the proper resources are not in place. This includes adequate online access, a computer, and ensuring that the parents can be home and/or have the capacity to support the student.

Impractical planning comes with a heavy cost to families who need to find ways to transport their children to educational facilities in other communities or miss work to stay home with children who are denied access to their community school. Unfortunately, many families are not able to manage these issues which results in children and youth not receiving the education to which they are entitled.

- **Truancy**

There is a significant group of children and youth who are not registered, nor attending an education program on a regular basis. There could be a variety of factors that influence this such as schools not being able to meet the unique needs of the student, personal choice, family dynamics, bullying, and social anxiety. In some situations, the parents or caregivers are struggling to provide the guidance and support their children need to prioritize school attendance. When children or youth are not in school, this comes with a significant cost to their ability and right to participate fully in their community.

Studies consistently show that better attendance is related to higher academic achievement for students of all backgrounds. Students who attend regularly have better achievement and engagement results than peers who are frequently absent. Chronic absence (truancy), regardless of the reason, is a strong predictor of negative outcomes such as academic challenges, substance misuse, gang involvement, and criminality. Other factors connected to truancy are related to overall family health or financial concerns, transportation problems and differing community attitudes toward education.[2,3]

Improving attendance and reducing chronic absence takes commitment, collaboration and approaches that speak both to the challenges and the strengths of each school community. Examples of promising approaches include:

- building better relationships with students and their families
- creating safer and caring learning environments

Anthony's Story

Anthony attended school consistently until he was 8 years old. At that time, his caregivers asked that he be transferred to another school in the same community. The principal of his original school sent his documentation to the new school in which he was registered, however, Anthony never attended and eventually the documentation was sent back. The whereabouts of the family was unknown at that point.

A year and a half later, the family resurfaced hoping to get Anthony registered again in his original school. By this time, Anthony had not been attending school for the previous year and a half. The principal set up a meeting with the family to discuss Anthony's enrollment but the family never attended the meeting, and efforts to get Anthony to school ceased.

Our office became involved and made efforts to bring various authorities together to obtain information about the family and to address Anthony's truancy. These authorities included the School Resource Officer, the principal, and superintendent of Anthony's original school, and the Ministry of Social Services. We learned that although steps to address Anthony's truancy is legislated through The Education Act, these mechanisms were not accessible because he was not a registered student in any school division. The Ministry of Social Services would not become involved because they believe truancy is not a child protection matter under their mandate and does not meet the threshold for neglect. These gaps resulted in no authority taking responsibility to consider the reasons why Anthony was not attending school.

Our advocacy led the school and the School Resource Officer to make further efforts to connect with the family. When those efforts failed, we successfully advocated that the Ministry of Social Services follow up to ensure the safety and well-being of the child. As a result, Anthony was successfully located and subsequently enrolled in school. The importance of school attendance was highlighted with the caregivers who then made a commitment to ensure Anthony remains in school.

Anthony's story demonstrates that authorities must work together to engage families and find solutions to keep children and youth in school.

1. *Saskatchewan Child Welfare Review Panel Report: For the Good of Our Children and Youth* (2009) http://www.publications.gov.sk.ca/details.cfm?p=73109

2. See Child Trends: Student Absenteeism: https://www.childtrends.org/indicators/student-absenteeism/

3. See Manitoba Education and Training: School Attendance Resources: http://www.edu.gov.mb.ca/k12/attendance/resources.html

4. See Attendance Works: Advancing Student Success By Reducing Chronic Absence: http://www.attendanceworks.org/what-works/develop-programmatic-responses-to-systemic-barriers/

- formally recognizing good and improved attendance
- monitoring attendance and early outreach
- increasing programmatic responses which will prepare the system to meet the unique needs of students coming into schools
- addressing systemic barriers such as improving access to health care, offering tutoring and mentoring, assisting with transportation, and morning and afterschool supports.[4]

A multi-dimensional approach is required to keep children in school. At the local level, educators and other allied professionals need to look carefully at the reasons beneath a child's disruptive behaviors or non-attendance. Ideally, these systems will creatively collaborate on ways to engage children, caregivers, and the wider community to support school attendance. The government must look at ways to meet the individual needs of our children and youth, as opposed to a one-size-fits all approach. Further, it needs to provide schools with adequate resources to meet the needs of *all* students so that children are encouraged to stay in school and so that administrators can engage students rather than expel them without supports. Our office also believes the federal government needs to promptly move to address some longstanding disparities between education funding on and off reserve. Significant new investments in on-reserve education are needed to ensure our students on reserve have access to the same level of supports as those in the provincial system, which will lead to healthier, more engaged students, and improved outcomes in the future.

Education is the key to better outcomes for the children and youth of this province. Article 28 of the Convention speaks to "the right of the child to education and with a view to achieving this right progressively and on the basis of equal opportunity." Canada is a first world country and there should be no excuses in not guaranteeing full implementation of this right. For children to thrive and grow to their full potential, we need to work collectively to find and support solutions to ensure this occurs.

Barriers in Child Welfare

Supporting families and children is critical for the well-being of children and youth in this province. However, our communities, and particularly our child welfare system, face significant challenges that continue to place Saskatchewan children at risk, hindering their ability to develop to their full potential. As the numbers for children in care or receiving services increase, the need to support families to keep their children or to reunify children with their families becomes critical.

Ministry of Social Services - Child and Family Programs Statistics

	31-Dec-12	31-Dec-13	31-Dec-14	31-Dec-15	31-Dec-16
Children in out-of-home-care[1]	**4,557**	**4,492**	**4,596**	**4,715**	**4,946**
Children in care[2]	2,896	2,846	2,852	2,931	3,072
Non wards[3]	1,661	1,646	1,744	1,784	1,874
Approved Providers[4]	**623**	**584**	**551**	**498**	**490**
Provider homes with more than four children[5]	63	48	59	43	35
Children living in provider homes with more than four children	370	282	338	251	220

All data is taken from either the monthly Linkin extract or ACI and includes active cases at month end.

1. This number includes all children who are placed in out-of-home care and are involved with the Ministry and children who were apprehended by the Ministry off-reserve and placed on-reserve. These children are on apprehended, temporary, long term or permanent ward status. This number also includes children in care under an Agreement for Residential Service as agreed to between the child's parent and the ministry. Placements for these children include: foster homes; group homes; assessment and stabilization centres; or, with extended family.
2. This number includes wards and those children with apprehended legal status.
3. This number includes children/youth who are placed by court order in the custody of a designated Person of Sufficient Interest caregiver.
4. Approved Providers – include Regular Foster Care, Therapeutic Foster Care, Parent Therapist, or both Regular and Therapeutic Foster Care.
5. Children refers to children in care.

- **Child apprehensions continue to rise**

  There continues to be an upward trend in child apprehensions and at times it has been necessary to place children in hotel rooms due to a lack of available foster homes. Recognizing this is not an ideal situation, the Ministry, First Nation child and family services agencies and community-based organizations, have worked together resulting in the rapid development of emergency receiving homes. While we acknowledge the efforts of the Ministry to find creative solutions to reduce the use of hotel rooms, we do caution that there has not been a corresponding growth in human and financial resources within the Ministry dedicated to providing supports to, and monitoring of, these homes. It is our experience that significant and systematic support is required to ensure the appropriate training of staff occurs, appropriate case planning and management is done, and that standards of care are met.

  The Ministry has also been engaging in strategies to recruit foster parents in certain regions to address the increase in numbers. We understand that the strategy for recruitment has been focused in the southern region of the province with a plan to expand. This recruitment strategy has resulted in increased inquiries to the Saskatchewan Foster Families Association and approval of several new foster homes. We commend the Ministry for their recruiting efforts, and note that a solid retention plan will also be essential to increasing and maintaining prospective and current foster home resources.

- **Inadequate support for Person of Sufficient Interest (PSI) placements**

  For several years, our office has expressed serious concerns about the safety and standard of care, and entitlements received by children and youth living in out-of-home placements with a Person of Sufficient Interest (PSI). For instance, we continue to see that contact standards are insufficient to ensure adequate care is being provided. Furthermore, because the PSI caregiver is considered the legal guardian, the Ministry cannot ensure the child's right to their biological family. We also see that the supports the Ministry can provide to meet the needs of the children are limited.

  Our office strongly supports efforts to place children and youth with extended family or significant others whenever possible, as it is a child's right to be with family and to practice their culture. However, the current policies are not sufficient to ensure the safety of the children or youth placed nor to assist the caregivers in their responsibilities. Our province needs legislative amendments that would see a replacement of PSI with a comprehensive kinship care framework that would encompass equal standards for all caregivers.

- **Better support required for medically fragile youth**

  Children continue to languish in hospitals and long term care facilities due to the lack of qualified home based care providers. Under the Convention, the government

Our office strongly supports efforts to place children and youth with extended family or significant others whenever possible, as it is a child's right to be with family and to practice their culture.

Children with an Active Apprehended Legal Status at the End of Each Month*

	2012	2013	2014	2015	2016
January	407	458	400	490	618
February	406	456	414	487	629
March	442	401	390	458	654
April	400	390	379	448	645
May	417	403	378	519	648
June	425	419	384	547	644
July	432	422	370	561	658
August	473	428	426	588	628
September	475	413	465	601	586
October	504	379	481	625	584
November	488	388	479	589	518
December	475	389	442	580	499

*Number of children who had a legal status of "Apprehended" as of the last day of each month. Many of these children are the same children from month to month – not new apprehensions, and these numbers do not provide an accurate picture of the number of children apprehended each month or over the year.

**The Ministry is unable to report on new apprehensions in a month. These numbers include children who were apprehended in a previous month or whose legal status has not yet changed (ie: if before the courts, a child could have an apprehended status for several months).

Few parents mark their child's 18th birthday by walking them to the front door and wishing them well in adulthood. Yet, this happens frequently in our child welfare system.

has a responsibility to assist families in providing adequate care for their children. We have strongly advocated for the Ministries of Health and Social Services to work together to find creative ways to place children with complex medical needs in home based care. Over the past year, these two ministries have worked collaboratively to develop pilot projects that allow families to access resources, such as Hope's Home, that were previously only available to those under the care of the Ministry of Social Services. This is encouraging and a positive step which prioritizes meeting the developmental needs of children and youth.

- **Youth aging out of care**

We continue to see only slow progress on providing youth aging out of care with the kinds of social, mentoring and funding supports they need to successfully transition to adulthood. The Ministry of Social Services meets their basic needs such as providing vouchers for food and clothing, however, all too often, we see young people denied services or left on their own to find a residence. Adolescence is a crucial time in a youth's development and their need to be independent is evident. However, youth also critically need structure, guidance, and prosocial support. Addressing the gaps in service provision for youth who are 16 and 17, will ensure young people are protected. Unfortunately, the Ministry of Social Services has delayed its proposed legislative changes that would increase the definition of child to 18, which would provide the much needed support and guidance young people require.

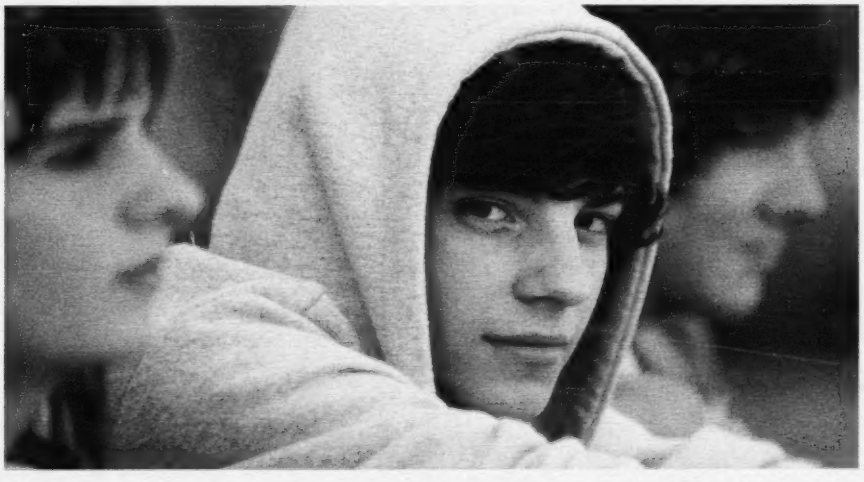
Few parents mark their child's 18th birthday by walking them to the front door and wishing them well in adulthood. Yet, this happens frequently in our child welfare system. In our view, the Ministry of Social Services needs to better support youth transitioning from care, as well as beyond the age of 18. This would allow for additional supports, including educational assistance for youth to finish school leading to a good start in their adult life. The Ministry also delayed its proposed amendments to extend support to youth up to the age of 24 as they transition from long-term care to adulthood.

Knowing there are many obstacles that youth in care face, our office considers the delay of these amendments a disservice to our vulnerable young people.

- **Delay in changes to *The Child and Family Services Act***

In 2011, the government announced that it would be making significant changes to *The Child and Family Services Act*. The initial process toward these changes included significant consultation input from stakeholder groups, including our office. The outcome of these working groups led to the proposed amendments, many of which were accepted. In the fall 2015, the Ministry of Social Services announced its intention to proceed with administrative amendments to *The Child and Family Services Act*. These amendments are in keeping with the desire to modernize language, conform to current legislative drafting standards, repeal sections not proclaimed, and align with other legislation.

We appreciate and commend the Ministry's stated intent to support changes to promote a holistic approach to a child's best interests, remove and replace stigmatizing language, clarify who is a party to a protection hearing, and clarify that a child is not a party to a protection hearing. We also commend the work of the Ministry to improve and strengthen its capacity to share information appropriately and to build stronger relationships with First Nation child and family service agencies. However, this is tempered by our dissatisfaction with the decision to further delay other critical amendments that are required to engage in a renewal of the child welfare system.



Hunter's Story

Hunter was residing in a residential care facility. Our office was originally contacted regarding concerns that he was not going to be able to attend an upcoming court date as appropriate case planning was not occurring. When our office contacted the Ministry of Social Services it became clear staff were diligently engaged in planning for Hunter but they were also facing several barriers. On the same day that Hunter was to attend court he turned sixteen years old, which meant the Ministry would no longer have legal authority to provide services to him.

The Ministry was concerned about this youth because of his very high risk lifestyle. Hunter had expressed a desire to live on the streets, was actively using hard drugs and had little regard for his own life. The Ministry believed they did not have the ability to apprehend him under the parameters of The Child and Family Services Act because his mother was willing and able to provide for Hunter (Hunter was choosing not to live with her). The only option available to the Ministry was to offer Hunter services under its 16/17-Year-Old Program, which is a voluntary program. Hunter did not want to engage with the program because he had no desire to attend school or participate in a work readiness course, which are requirements of this program.

On his sixteenth birthday, the Ministry did have a residence in place for Hunter. Staff ensured he was familiar with the 16/17-Year-Old Program and set up an intake appointment for him the following day. They provided him with contact information for Mobile Crisis in case of an emergency.

Within a three-day window, our advocacy work included some unconventional measures to attempt to ensure the safety of this youth. This included conversations with the Crown Prosecutor and the mediation service provider as they were involved with Hunter through his court matters. As the Ministry had done previously, we also advocated for a secure detox warrant. Our office made several attempts to contact the supervisor and manager with the Ministry to advocate they reconsider their ability to apprehend Hunter. Unfortunately, they failed to return calls in a timely manner. Once services with the Ministry expired and his court appearances concluded, there was no ability to even locate Hunter to apprehend him to ensure his safety.

Hunter is only one example in a demographic of youth that are greatly impacted by gaps in our child welfare system. Amendments to *The Child and Family Services Act* must be completed in a timely manner.

Specifically, promised reforms such as the following are now on indefinite hold:

- enhancing prevention and early intervention supports (while acknowledging that some new funding was provided in the 2015-16 budget for prevention work);
- building a new kinship care framework;
- mandating legislative reviews every five years;
- changing the age of the child to 18 and providing better supports and protections to youth aged 16 and 17; and
- supporting youth as they transition from long-term care to adulthood and increasing the age for which they are eligible for educational support to 24 from 21.

The decision to further delay long overdue legislative, policy and program changes is disconcerting and will further compromise the safety and protection of the children and youth in this province, which is an explicit right under the Convention.

To truly make an impact on the child welfare system, we must address underlying causes (poverty and its related conditions) to reduce the number of children coming into the care of the government. As identified in 2010 by the Saskatchewan Child Welfare Review Panel,[5] a transformation of the child welfare system is vitally important to this being achieved. We must move to a prevention model that prioritizes providing families with the necessary supports to keep their children in their care. Not only do children deserve this, but they have the right to this.

We understand that the province faces some fiscal challenges, but inaction on child welfare brings a substantial price for vulnerable children, their families and communities.

Having stronger, healthier families that can meet their children's needs will mean less demands on our social systems in the future. For the very serious situations, when children must come into foster care,

5. *Saskatchewan Child Welfare Review Panel Report: For the Good of Our Children and Youth (2009)* http://www.publications.gov.sk.ca/details.cfm?p=73109

Many youth are away from their home communities, making it difficult to coordinate appropriate reintegration and rehabilitative services that will help them transition successfully upon their release.

the Ministry of Social Services must invest in sufficient home-based care resources that have policies, procedures, and quality assurance measures in place as a proactive way to prevent any potential issues. As per Article 20 of the Convention, children under the care of the government have the right to special protection and assistance. The Ministry of Social Services must act as any reasonable parent would and provide the necessary supports to allow a young person a successful transition into adulthood.

Challenges in Youth Custody

With the closure of two youth custody facilities in 2015, there has been increased pressure on the remaining facilities that has resulted in a negative impact on the youth in terms of dislocation and effective re-integration. While the transition has long been complete, the after-effects are still resonating for youth.

With a limited number of beds in each facility, and not being able to predict the number of youth that may be admitted, accommodations must be made when there is an increase in youth admissions. Unfortunately, this means youth are frequently forced to be transferred to other facilities to meet the demands of overcrowding when admission rates are higher. In addition to creating challenges for contact with family, the lack of stability interrupts the youth's programming and engagement with supports. Many youth are away from their home communities, making it difficult to coordinate appropriate reintegration and rehabilitative services that will help them transition successfully upon their release. In addition, staff are being required to focus their efforts on managing the pressures of intermittent overcrowding instead of engaging with youth and using effective correctional practices to address offending behaviours. The consequences of frequent transfers will continue to persist under these conditions and this is unacceptable.

We acknowledge the Ministry has addressed some of the inconsistent policy application across facilities so that when youth are moving frequently, there is some level of stability in this regard. The newly implemented level system as a standardized approach to rule compliance and privileges the youth may earn for positive behavior is a welcomed change. Standardizing the level system served to alleviate a source of confusion and frustration for the youth as they moved between facilities in the province.

Brett's Story

Brett, a young person sentenced to a youth custody facility, was struggling with his moods and thought he might need a reassessment of his medication. Repeated transfers between custody facilities compromised the securing of a psychiatric appointment. Initially, he was on the wait list to see a psychiatrist at one facility, but was moved to another facility before he could attend an appointment. Brett did see a psychiatrist at the second facility but there was no transition plan to support psychiatric care when he was transferred back to the original facility. Brett believed it was at least 7 months since his appointment with the psychiatrist.

When our office became involved, the plan was for Brett to be moved to another facility but the timeframe was unknown. Our advocacy involved speaking to representatives at both the current and future custody facility. The result was both facilities working together to arrange an appointment for Brett. They also developed a plan to ensure arrangements were in place for Brett to attend, regardless of which facility he was in at the time of the appointment.

While the transfers in Brett's case were due to changes in his level of custody (ie: secure to open), multiple moves due to overcrowding is a frequent practice in youth custody facilities today. It is imperative that procedures are in place to ensure youth are receiving the services they require, no matter where they are housed in the province.

With the looming closure of North Battleford Youth Centre in 2018, our office is extremely concerned about the impact of absorbing these youth into other facilities that are already facing pressures. Adopting a Child's Rights Impact Assessment (CRIA) will assist the Ministry in keeping the youth at the center of their planning going into this transition. Ensuring a rehabilitative focus is maintained will provide many benefits to youth versus deepening their entanglement with the criminal justice system. This, in turn, allows for a successful reintegration back into their community. Article 40 of the Convention states, "that the right of every child alleged as, accused of, or recognized as having infringed the penal law to be treated in a manner consistent with the promotion of the child's sense of dignity and worth." Continually transferring youth amongst facilities with little regard for the personal

impact is violating this right, in addition to compromising the Ministry's mandate of rehabilitation and reintegration. If a focus on rehabilitation for incarcerated youth is to be maintained, the Ministry must ensure that all facilities, programs, and staff are operating at optimal capacity.

Unaddressed Mental Health Needs

Every child in Saskatchewan has the right to a high standard of health. This includes having their mental health needs addressed to ensure their overall health, wellbeing and safety. The inadequacies in our current system have serious implications for children and youth with complex mental health needs.

- **Timely access to psychiatric care**

  Due to inadequate resourcing and a shortage of child and adolescent psychiatrists, children and youth in the province do not have timely, equitable access to psychiatric assessment and care. Long wait times in hospital emergency rooms, often results in children and youth waiting for hours during times of mental health breakdown. By the time, the young person is seen by a medical professional, the immediate crisis has passed and admission is often not granted; leaving caregivers to arrange outpatient services. Many times, caregivers find it confusing and frustrating to navigate and secure the health services their children need. Often, there is a significant wait period before services in the community can begin. These delays further compromise a young person's mental health and ability to function appropriately.

- **Minimal services**

  It is continually reported to our office by various professionals in remote and rural Saskatchewan communities that mental health services are not available and – when services are provided – these are limited. This results in vulnerable children and youth being put on lengthy wait lists or receiving insufficient interventions. For instance, in some areas of the province there may be only one mental health worker servicing a broad geographical area. Or, referrals for mental health services may be picked up by other professionals due to limited resources. Many times, children and youth must be transported to urban centres for assessment during a crisis. Often, the young person does not see a medical professional until hours after an incident, the situation does not result in hospital admission, and the young person is returned to their community where there are minimal supports for aftercare.

  Insufficient services are evident in our northern communities where our youth have been at the center of some of the biggest tragedies in our province's history (ie: La Loche school shooting, suicide crisis). To avoid future tragedies for our young people, our province must develop long-term, properly resourced, community led solutions that lead to positive change in the health and mental health of children and youth in our northern communities. This will only happen with authentic engagement with children and youth, their families, and the communities in the north.

  Children and youth have the right to the highest attainable standard of health without discrimination of any kind. Articles 2 and 24 of the Convention codified these rights for all children. The barriers to accessing mental health services faced by children and youth based on their geographical location, amounts to a violation of their rights and is coming at a significant cost to our children, their families, and our communities in this province.

Alexis' Story

Alexis, a young person residing in a remote, Northern community, was struggling with significant mental health challenges. She had attempted suicide multiple times. One attempt was so severe that Alexis had to be airlifted to an urban location for treatment, including meeting with a psychiatrist. Six months after her most recent injury, no counselling services had been offered to Alexis. Due to the persistence of the youth's mother, a local addictions worker volunteered to work with her child.

Alexis' story came to our office as one example of the broader issue around the lack of resources in remote and rural communities. While it is encouraging to see professionals in remote communities working creatively to deliver services to their youth, the role of an addictions worker is not to provide mental health counselling, especially for a youth living with such complex mental health issues. Our office continues to advocate for senior level officials to ensure there are adequate services in place to assist the vulnerable members of these remote communities.

Many times, caregivers find it confusing and frustrating to navigate and secure the health services their children need.

Investigations: Improving Services and Promoting Accountability

The Advocate can conduct independent assessments and investigations into any matter concerning services provided to children and youth by a provincial ministry, agency of the government, or publicly-funded health entity. There are five areas of investigation: critical injuries, child deaths, fairness, programs and services and, in rare instances, mandatory investigations on referral from a committee of the Legislature.

Regardless of the type of assessment or investigation undertaken, the purpose of our work is the same:

- to recommend changes in legislation, policy and/or practice to prevent future harm to children and youth;
- to improve the quality of services provided by child-serving systems and agencies; and
- to promote greater public accountability.

Making recommendations and using creative solutions to advance systemic change is a key part of our work. Our findings and recommendations look to advance the rights, interests and well-being of children and youth, and keep them at the centre of planning and service provision. Our investigations are also a valuable source of information for families. An investigation may answer some of their outstanding questions or give them clarity on the situation surrounding their child's injury or death. In some situations, our investigations empower the family to speak out and assists them in their coping.

Deaths and Critical Injuries in 2016

In 2016, the Advocate received 59 notifications, 21 child deaths and 38 critical injuries, involving children and youth who were receiving or had received services from the Ministry of Social Services or the Ministry of Justice, Corrections and Policing.

In comparison to last year, the number of reported deaths has decreased and the number of injuries has slightly increased. However, overall there continues to be a stable trend that is consistent with the number of notifications received over the last six years.

Analysis

First Nations and Métis children and youth continue to be overrepresented in both deaths and injuries, which is reflective of their disproportionate involvement in these two systems. Seventy-two percent of deaths involved children aged five and under, while injuries among this age group were comparatively low. We note this to be a consistent trend that could be attributed to the inherent vulnerability of this population. The most common circumstances leading to death or injury among this age group continue to be illnesses and accidents.

Consistent with previous years, injuries among youth 16-18 are largely the result of physical assault (including stabbings and shootings) or accidents involving motor vehicles. Adolescence (ages 11-15) continues to be the time when youth are most vulnerable to self-inflicted injuries and death. All deaths among youth in this age group (4) in 2016 were the result of suicide. As with last year, completed suicides were confined to children and youth in this age range. Attempted suicide, self-harm and non-fatal overdoses on alcohol or drugs were also common for these youth, followed closely by older teens aged 16 – 18. Child and youth mental health continues to be a longstanding concern of our office and will continue as a main priority under the vision and leadership of the Advocate.

Our office has also been working on the second phase of a thematic review of suicide attempts by youth involved in the young offender system. Since our 2015 Annual Report, where we introduced this project, the Ministry of Corrections, Justice and Policing has been open and collaborative to working with us to improve services to the young people in that system. Among many strategies to address the mental health of its clients, the Ministry has implemented a new policy for screening youth on community orders for risk of suicide. This is a valuable change as these young people were identified in our first phase as a particularly vulnerable population. We look forward to further discussions with the Ministry on their response to our observations and recommendations.

Additionally, following a rash of youth suicides in northern Saskatchewan in the fall of 2016, the Advocate committed to engaging in a special review of the issue. This project will focus on engaging youth aged 10 to 18 in several northern communities to share their perspectives on what contributes to suicide among their peers and what young people think are the solutions needed to address and prevent these tragedies from occurring. A public report is expected in late 2017.

2016 Child Death Data

Gender	Deaths	Total: 21
Male	16	
Female	5	
Ethnicity	**Deaths**	**Total: 21**
Aboriginal	7	
Non-Aboriginal	0	
Unknown [1]	14	
Age	**Deaths**	**Total: 21**
0 to 5	15	
6 to 10	0	
11 to 15	4	
16 to 18	2	
19+	0	

2016 Critical Injury Data

Gender	Critical Injuries	Total: 38
Male	18	
Female	20	
Ethnicity	**Critical Injuries**	**Total: 38**
Aboriginal	17	
Non-Aboriginal	1	
Unknown	20	
Age	**Critical Injuries**	**Total: 38**
0 to 5	6	
6 to 10	0	
11 to 15	15	
16 to 18	17	
19+	0	

2016 Child Death Causes: Identified Causes

Cause	Male	Female	Total: 21
Cause not available yet [2]	2	1	3
Undetermined	2	0	2
Suicide	2	2	4
Medically Fragile	6	1	7
Homicide	0	0	0
Motor Vehicle Accident	0	0	0
Hit By Motor Vehicle [3]	2	0	2
Fire	0	0	0
Illness	0	0	0
Drowning	0	0	0
Accidental Drug/Alcohol Overdose	0	0	0
Other Accident [4]	2	1	3

2016 Critical Injuries: Identified Causes

Cause	Male	Female	Total: 38
Suicide Attempt	3	9[5]	12
Self Harm – Cutting/ Overdose on Pills	1	1	2
Motor Vehicle Accident	0	1	1
Hit by Motor Vehicle	0	1	1
Accidental Drug/Alcohol Overdose	0	3	3
Stabbing	2	0	2
Physical Assault	6	1[6]	7
Sexual Assault	0	1	1
Burn	0	1[7]	1
Fall	0	0	0
Accident (other than overdose and MVA)	1	0	1
Illness	3	1	4
Shooting	2	0	2[8]
Other	0	1[9]	1

1. The ACY often receives limited information when notified of deaths or injuries. In many cases where there has not been a full investigation, the ethnicity of a child or youth may not be available to our office.

2. When available, information reported as to the cause of death is determined from the Coroner's Reports, which are pending for a number of 2016 deaths. In the absence of a Coroner's Report, cause of death may be obtained from information reported by the Ministry involved. The category of "Cause Not Available Yet" is used when the ACY has not received reliable information on the cause of death. This is to be distinguished from the category of "Undetermined", which is used by the Coroner where the cause of death has been reviewed by the Coroner, but cannot be determined.

3. This number includes one youth who was struck by a train. Acute alcohol intoxication was a contributing factor.

4. This category includes: 1) an infant who died from asphyxia while sleeping; 2) a toddler who died because of a television falling on him; and 3) a youth who died of hypothermia due to being outside in inclement weather while under the influence of alcohol and drugs.

5. This number includes one female youth attempted suicide three times within the year.

6. This injury involved an infant who was in the care of an Alternate Caregiver. Child abuse was suspected and a police investigation was ongoing at the time of notification to the ACY.

7. The ACY was notified of this injury in 2016, although it occurred in late 2015. It involved a toddler in parental care who sustained burns in a bathtub. At the time of notification to the ACY, child abuse was suspected and a police investigation was ongoing.

8. This includes one injury that was reported to the ACY by the Ministry of Social Services, but was later determined by the Ministry not to meet the criteria for notification to our office once additional information was received. The injury continues to be included in this chart as it is meant to reflect work done by the ACY during the 2016 calendar year and follow-up was done in this case to assess for advocacy issues.

9. This category reflects a youth who committed a serious violent offence. Although these circumstances do not meet the typical criteria for notification to the ACY under the Ministry of Social Services' "Serious Occurrence Categories, Reporting and Review" policy, the Ministry can notify our office of any incident if it would benefit from review.

This past year, our office has also been consulting as part of an inter-agency, inter-ministerial committee that is exploring the prospect of establishing a provincial child death review (CDR) process.

As part of our public accountability, our office released two public reports in 2016, *The Silent World of Jordan*, released on June 2016, and *Duty to Protect*, released in October 2016. *The Silent World* of Jordan offered an extended account of services provided to a First Nations youth with a significant hearing loss who died while in the care of a Prince Albert youth custody facility operated by the Ministry of Justice. The report outlined the responsibilities required by the systems involved to ensure proper access to healthcare and resources, especially to young people with disabilities. It advanced ten recommendations that were related to protection services informed by the rights of children and youth in custody, such as the duty to accommodate, changes in policy related to health provisions, and improved communication between court services and corrections. Others focused on the need for better communication protocols within youth facilities, and finally to ensure that families are better connected to the supports and resources required when they have a youth in custody.

The *Duty to Protect* report outlined the service provision provided to a two-month old baby, illustrating how families and children are disserviced when policy and practice are not followed. The report highlights improper investigation of protection concerns, several intakes that were not appropriately assessed, lack of documentation and an inadequate operational framework for the provision of mandated support services to the family. Considering these findings, five recommendations were put forth to the First Nations Child and Family Services Agency and the Ministry of Social Services. Related to the intake and investigative process, we recommended more training on the use of the risk assessment tool, critical thinking and file documentation. The recommendations also included a need for a clearer definition of prevention services as these pertain to *The Child and Family Services Act*.

Both copies of these reports can be found on the Advocate's website at *www.saskadvocate.ca*

This past year, our office has also been consulting as part of an inter-agency, inter-ministerial committee that is exploring the prospect of establishing a provincial child death review (CDR) process. The subcommittee was formed due to a recommendation released in 2013 by the Canadian Paediatric Society that a structured process for CDRs be created in every region in Canada[6]. The Saskatchewan Prevention Institute has spearheaded the work of establishing a provincial CDR process by coordinating meetings of the subcommittee, as well as by conducting a national scan of current CDR processes across Canada. While Saskatchewan currently does not have a provincial process in operation, six provinces do review child deaths at the provincial level to inform prevention and intervention, and three provinces and territories are in the exploratory phase of establishing this important process. A collaborative approach to carefully and systematically examine the viability of such a provincial committee would ultimately benefit the children of Saskatchewan. The Advocate would like to acknowledge the leadership undertaken by the Saskatchewan Prevention Institute in providing the support and assistance necessary for this valuable work to proceed.

Status of recommendation monitoring 2011-2016

The Advocate is often asked to describe the impact of our work. Our office recently analyzed recommendations made from 2011-2016. This work is meant to be a snapshot in time as our office completes numerous child death, child injury and systemic reviews every year. This section of the annual report highlights how recommendations contribute to system improvements that advance the well-being of children and youth in this province.

Between January 2011 and September 2016, the Advocate completed:

- four (public) special investigation reports (Table 2);
- ten child death investigations (Table 3);
- two critical injury investigations (Table 4);
- one (public) administrative fairness investigation (Table 5); and
- one program review (Table 6).

Resulting from our work, our office issued 88 formal recommendations to improve policies, programs, and services for Saskatchewan children and youth. Our office tracks the status of all recommendations to encourage accountability and to ensure that changes in policy and practice are implemented.

Table 1: Critical Injury and Child Death Notifactions, Saskatchewan, 2011-2015

Year	Critical Injuries	Child Death
2015	36	26
2014	41	23
2013	36	26
2012	20	21
2011	23	34
Five-year average	31	26

Source: Saskatchewan Advocate for Children and Youth, various years

6. http://www.cps.ca/documents/position/importance-of-child-and-youth-death-review

Table 2: Status of Saskatchewan Advocate Special Investigation Report Recommendations, 2011 to 2016

Reports by Year (January 1, 2011 to September 30,2016)	Number of Recommendations	Closed accepted adequate action taken	Closed partially accepted no further action expected	Closed not accepted no action taken
Special Investigation Reports				
2016				
The Silent World of Jordon - June 2016	10			
2015				
No Time for Mark: The Gap Between Policy and Practice - May 2016	9	2		
2014				
Lost in the System: Jake's Story - September 2014	7	3		
Two Tragedies: Holding Systems Accountable - May 2014	18	8		
	44	13		

Source: Saskatchewan Advocate for Children and Youth, Systemics, Investigation and Research

Table 3: Status of Saskatchewan Advocate Child Death Investigation Recommendations, 2011 to 2016

Investigations by Year (January 1, 2011 to September 30,2016)	Number of Recommendations	Closed accepted adequate action taken	Closed partially accepted no further action expected	Closed not accepted no action taken	Closed Replaced by a similar recommendation
Child Death Investigations					
2016 (one investigation)	2				
2015 (two investigations)	7	5			
2014 (one investigation)	4	1			1
2013 (two investigations)	8	6		2	
2012 (two investigations)	6	5			
2011 (two investigations)	8	6	1	1	
	35	23	1	3	1

Source: Saskatchewan Advocate for Children and Youth, Systemics, Investigation and Research

Table 4: Status of Saskatchewan Advocate Critical Injury Investigation Recommendations by Year

Investigations by Year (January 1, 2011 to September 30,2016)	Number of Recommendations	Closed accepted adequate action taken	Closed partially accepted no further action expected	Closed not accepted no action taken
Critical Injury Investigations				
2011 (two investigations)	3	3		
	3	3		

Source: Saskatchewan Advocate for Children and Youth, Systemics, Investigation and Research

Table 5: Status of Saskatchewan Advocate Administrative Fairness Review Recommendations by Year

Administrative fairness reviews by Year (January 1, 2011 to September 30,2016)	Number of Recommendations	Closed accepted adequate action taken	Closed partially accepted no further action expected	Closed not accepted no action taken
Administrative fairness investigation report				
2012				
In the Matter of E.J.H. and K.G.H Administrative Fairness Investigation Report				
-December 2012	5	4	1	
	5	4	1	

Source: Saskatchewan Advocate for Children and Youth, Systemics, Investigation and Research

Table 6: Status of Saskatchewan Advocate Program Recommendations by Year

Program reviews by Year (January 1, 2011 to September 30,2016)	Number of Recommendations	Closed accepted adequate action taken	Closed partially accepted no further action expected	Closed not accepted no action taken
Program Review				
2014	1			
	1			

Source: Saskatchewan Advocate for Children and Youth, Systemics, Investigation and Research

Most of the 88 recommendations have been directed to the Ministries of Social Services, Justice and Health, First Nations child and family services agencies, and health regions. Of these, 49 have been closed, and 39 remain open.

Overall, 43 of 88 recommendations (49%) were closed due to adequate action being taken, while two recommendations (2%) were closed as they were partially accepted. Tables 2 to 6 illustrate that there is considerable variation in the proportion of recommendations that have been accepted and closed by report type. Whereas a quarter of special investigation report recommendations issued since 2014 have been closed due to adequate action being taken (13 of 44), nearly two-thirds of child death investigation recommendations issued since 2011 have been accepted and closed (23 of 35). In addition, all three critical injury investigation recommendations have been accepted and implemented, as have four of five administrative fairness review recommendations (one was partially accepted). Finally, the one program review recommendation remains open.

There are several reasons for these variations, including the scope and complexity of the recommendations, the time and resources required to implement them, and the nature and number of parties to whom they are addressed.

For instance, *The Silent World of Jordan,* was released in June 2016, and although the Ministry of Justice, Corrections and Policing advised the Advocate that it accepts all of the recommendations, it requires sufficient time for proper implementation.

In the case of *Two Tragedies,* released in May 2014, the Ministries of Social Services and Health, as well as the Yorkton Tribal Council (YTC) Child and Family Services Agency and the Regina Qu'Appelle Regional Health Authority have all made significant strides to respond to recommendations in this report. Our office intensely monitored the recommendations by having the Ministry of Social Services and YTC report back to our office on a quarterly basis. Due to the commitments on the part of ministries, agencies and health regions to implement these recommendations, eight of eighteen have been satisfied and are now closed. Our office continues to monitor the remaining recommendations, some of which require inter-ministerial coordination and more time to implement.

Only rarely are recommendations closed when a ministry or agency declines to implement them. This occurred in the case of four recommendations arising from child death investigations. Two were in relation to Ministry of Social Services child death investigation practices involving youth in the 16/17 program, and one in relation to who *may* rather than *shall* be interviewed in the death of children in the care of a person of significant interest.

Major recommendations are typically kept open notwithstanding a ministry's declared reluctance to implement it. This is the case with a longstanding call for foster home licensing. The previous Minister of Social Services maintained that there is no compelling evidence to suggest that licensing produces better outcomes for children in care. The Advocate, in contrast, continues to hold the view that licensing can contribute to clearly understood, widely respected and vigorously enforced rules and regulations that promote three basic things: quality care; properly trained and supported foster parents; and properly equipped and monitored foster homes. As a result, the Advocate continues to keep this recommendation open.

Recommendations frequently have broader themed areas, and their scope may be government-wide or directed at a specific ministry or agency. Some examples of recommendation themes include: fully implementing the Saskatchewan Children and Youth First Principles; upholding child and youth rights to participate in decisions that affect them; recommendations on the *Child and Family Agenda* and the 2010 Saskatchewan *Child Welfare Review*; improvements for training and development; and service integration.

We have also made recommendations that address more specialized support services for matters such as mental health, suicide prevention and responses, and Fetal Alcohol Spectrum Disorder (FASD). Further, we have called for more timely services to meet the developmental needs of children under five, as well as more services for First Nations children, youth and their families.

Further, we have called for more timely services to meet the developmental needs of children under five, as well as more services for First Nations children, youth and their families.

Recommendations themes and results

Recommendations made to the Ministry of Social Services include some on legislative changes, child protection practices, standardizing caseloads and case management. Other examples include recommendations on foster care (including overcrowding and multiple moves); adoption; services for 16 and 17-year-olds; and transitioning from foster care to adulthood. As noted earlier, one of our longstanding recommendation calls for foster home licensing, which was also relayed to government in a 2013 submission to the legislative review of *The Child and Family Services Act.* Related to this, our office is troubled that it has taken six years to replace this dated legislation. We were recently advised that only some of the proposed legislative amendments will be introduced in the spring 2017 session of the Legislature. As mentioned earlier in this report, many of the

The Advocate acknowledges that substantive work has been undertaken and some noteworthy progress has been made on all these fronts.

critical changes required to move toward a transformation of the child welfare system will not be included.

Recommendations made to First Nation Child and Family Service Agencies generally speak to policies, standards, procedures, training and compliance in relation to child welfare policies and practices, as well as the need to ensure timely responses to support youth involved in the youth justice system.

Recommendations specific to the Ministry of Justice, Corrections and Policing generally speak to the need for youth custody facilities to develop policies and practices to ensure that youth with complex needs, and those with disabilities have timely and appropriate access to on and off-site healthcare and support services.

Finally, recommendations pertaining to the Ministry of Health and health regions have focused on the need for comprehensive policies and practices to ensure that suspected cases of child abuse are identified, reported and investigated in keeping with the provisions of the Saskatchewan Child Abuse Protocol (2006; 2014), and that at-risk, substance-using mothers and their newborn children receive appropriate care and supports.

As shown in Table 7, the 88 recommendations examined in this overview address 107 overlapping issues. A third call for change in current practice and a quarter to policy changes (26%). A further 13% address accountability issues while 11% speak to improving access to services. Finally, 9% call for reviews of existing services and 5% to provide education.

Systemic recommendations more likely to remain open

With only a couple of exceptions, recommendations to improve policies, standards, procedures and compliance have been or are in the process of being implemented. However, several recommendations directed to the provincial government as a whole – ones that involve significant cross-ministry, intergovernmental and interagency collaboration and coordination and in some instances new resources – have been slow to be implemented or in some instances stalled altogether. Examples of this include calls for enhanced prevention and support services for vulnerable children and families and a well-resourced early childhood development strategy. Other examples include implementation of a robust mental health and addictions action plan, the roll out of a rigorous provincial disability strategy, and the operationalization of a comprehensive poverty reduction strategy.

The Advocate acknowledges that substantive work has been undertaken and some noteworthy progress has been made on all these fronts. However, the scope and pace of change has been slow. For instance, as the Advocate welcomes the Province's stated goal of reducing persistent poverty by half by 2025 as noted in the Provincial Poverty Reduction

Table 7: Recommendations issued by the Saskatchewan Advocate for Children and Youth: 2011 to September 30, 2016 by Type of Issue

Issue	Number	% of total
Accountability required	14	13
Change or alter current practice	35	33
Develop or amend current legislation	1	1
Develop or amend present policy	28	26
Improve access to services	11	10
Lack of services for special needs	1	1
Provide education	5	5
Review of existing services	10	9
Rights and Convention	1	1
Staffing Issue	1	1
	107	100

Source: Saskatchewan Advocate for Children and Youth, Tracker database, various years.

Strategy in May 2016. However, concerns remain that the actions contemplated fall short of a comprehensive and substantive strategy. Similarly, the Advocate commends the launch of an Early Years Plan, however cautions that it falls short on specifics, timelines, and concrete programs and initiatives. Further, while the Advocate embraces the release of a comprehensive Mental Health and Addictions Action Plan, efforts to improve child and youth access to mental health services continue to lag.

The impact of our work

The recommendations of the Advocate serve as a catalyst for change that strengthens the rights of, and human services for, Saskatchewan children and youth. Our office has been encouraged as some important gains have been made toward ensuring that children and youth are protected from all forms of abuse and negligent treatment, have a voice in decisions that affect them, and have access to human services that support their healthy development. We are pleased that ministries, agencies, and health regions have implemented policies, protocols and training to enhance reporting on suspected cases of child abuse and neglect.

Our investigations and advocacy have revealed that the risk of injury and death is elevated when ministries and other service providers deliver services to children, youth and their families without working in partnership. Therefore, our recommendations are issued to improve case management standards – ranging from better compliance with existing child welfare policies and more timely and rigorous case planning, to improved interagency and inter-ministerial collaboration.

The implementation of these recommendations by ministries, agencies, and health regions increases compliance with policies, which in turn improves human service provision to the children and youth of Saskatchewan. Increased oversight and accountability regarding placements of children and youth in out-of-home care has been achieved through recommendations issued by our office. Such recommendations are complemented by the systemic ones identified earlier that aim to mitigate many of the structural drivers of the child welfare and youth justice systems. In addition, our child death investigations are a powerful way to honour children and to tell their story as a legacy of their lives.

The recommendations issued by the Advocate have contributed to several important improvements. However, much remains to be done to ensure that children's rights and well-being are honoured, supported and protected, and to address the structural factors that put children at risk. The Advocate will continue to closely monitor our recommendations to improve systems and to support families and children better. Our office will also continue to work with provincial ministries and agencies, First Nations and Mètis groups and the wider public to foster access to human services that contribute to the full realization of children's rights and their potential.

The recommendations of the Advocate serve as a catalyst for change that strengthens the rights of, and human services for, Saskatchewan children and youth.

Empowering First Nations and Métis People

In 2015, the Truth and Reconciliation Commission released its final report, Honouring the Truth, Reconciling the Future, with 94 calls to action for all levels of government to address the history and legacy of the residential school system in Canada. In the true spirit of reconciliation, it is time to empower the First Nations and Métis people of Saskatchewan. Working in partnership to identify long-term solutions and strategies to improve the social determinants of health of First Nations and Métis communities, would have a tremendous impact on our economic future and the well-being of our province's children and youth. For instance, as University of Saskatchewan economist, Eric Howe, notes improving the levels of education and employment for First Nations and Métis people could, over the longer term, add $90 billion to the provincial economy. [7] This means that money saved in areas like social services, justice and health, could then be reinvested in innovative programs and services to help all children get a good start in life.

As of June 2015, the provincial graduation rate for our First Nations, Métis, and Inuit youth was 40.1 percent as compared to 84 percent graduation rate for non-First Nations Métis, and Inuit youth. This inequality is simply unacceptable. [8]

Sober Walk
Hall Lake, SK – December 2016

We know that in Saskatchewan two-thirds of First Nations children live in poverty and that many First Nations families live in substandard conditions. A 'good start in life' can be difficult to achieve when First Nations and Métis children are disproportionately represented in the child welfare system. The Truth and Reconciliation Commission report highlights the need for family supports and prevention as critical to the way forward. The report also reflects the significance of Canada committing to reducing the number of First Nations children in care and to increase supports to keep families together. Part of this commitment is to support child welfare workers to "bring to their work an understanding of Aboriginal culture as well as an understanding of the last harms caused by residential schools." [9]

We need a transformation of all systems to provide equality and culturally-sensitive services while giving First Nations and Métis people more autonomy and authority over their own affairs. First Nations and Métis leadership in Saskatchewan have strongly voiced their desire to take responsibility for child welfare matters and prevent their children from being placed in the province's care. The Advocate's office has long supported the sovereignty of First Nations and Métis people to provide for the care of their children and youth.

The 2016 Canadian Human Rights Tribunal decision found that the denials of services and equal funding to First Nations children in Canada has had significant and negative impacts on many families and children living on reserve. The commission's report called for a "redesign of the existing funding formula" [10], along with recommending support to allow First Nations to deliver their own child welfare. This groundbreaking decision was the first step in moving toward action that results in social equality for First Nations families and children, leading to system transformation. When First Nations and Métis families and children succeed, we all succeed. For too long, First Nations and Métis issues have been ignored, not understood, and, at times, simply dismissed. As the Truth and Reconciliation Commission report states, "reconciliation is not an Aboriginal problem. It is a Canadian one". [11]

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7. https://gdins.org/me/uploads/2013/11/GDI.HoweReport.2011.pdf

8. http://www.finance.gov.sk.ca/PlanningAndReporting/2015-16/2015-16EducationAnnualReport.pdf

9. http://www.trc.ca/websites/trcinstitution/File/2015/Honouring_the_Truth_Reconciling_for_the_Future_July_23_2015.pdf

10. https://fncaringsociety.com/sites/default/files/2016%20CHRT%20Ruling%20on%20FN%20child%20welfare%20case.pdf

11. http://www.trc.ca/websites/trcinstitution/File/2015/Honouring_the_Truth_Reconciling_for_the_Future_July_23_2015.pdf

Budget and Staff

Budgetary Expenditures	2015-16 Budget	2016-17 Budget
Personal Services	$1,808,000	$1,837,000
Contractual Services	$360,000	$371,000
Advertising, Printing & Publishing	$33,000	$38,000
Travel & Business	$102,000	$102,000
Supplies & Services	$8,000	$8,000
Capital Assets	$17,000	$22,000
Budgetary Total	$2,328,000	$2,378,000
Statutory Expenditures		
Personal Services	$226,000	$228,000
Statutory Total	$226,000	$228,000
Total	**$2,554,000**	**$2,606,000**

Advocate and Staff (at December 31, 2016)

Advocate for Children and Youth: **Corey O'Soup**

Program Manager, Advocacy and Public Education: **Leeann Palmer**

Program Manager, Systemics, Investigations and Research: **Lisa Broda**

Advocates:

Joanne Denis

Jamie Gegner

Darren Hubick (term)

Chandra LePoudre

Meredith Newman

Jacqueline Peters

Cheryl Starr

Marcia Steuart (on leave)

Investigators:

Connie Braun

Marci Macomber

Karen Topolinski

Systemic and Policy Advocate:

David Gullickson

Director of Administration:

Bernie Rodier

Communications and Public Education Coordinator:

Eldon Duchscher (term)

Human Resources and Administration Consultant:

Dan Harder

Executive Administrative Assistant:

Caroline Sookocheff

Administrative Assistants:

Colette Duffee

Penny Fairburn (term)

Wanda George (on leave)

Tammie Larocque

Appendix A

As part of its public education mandate, representatives from the Advocate for Children and Youth make many presentations and speeches, and attend numerous events each year. In 2016, these included engagements with the following organizations:

11UI
(Regina)

4 Directions Child & Family Services Stabilization and Assessment Inc.
(Muskowekwan First Nation)

Agency Chiefs Child and Family Services
(Spiritwood)

Ahtahkakoop Child and Family Services
(Ahtahkakoop First Nation)

Al Ritchie Family Centre (Regina)

Athabasca Denesuline Child and Family Services (Black Lake First Nation)

Athabasca Denesuline Therapeutic Youth Care Home
(Black Lake First Nation)

Athabasca Health Authority
(Stony Rapids)

Awasis Aboriginal Education
(Saskatoon)

Baby Steps Home
(Saskatoon)

Battleford Tribal Council Child and Family Services
(North Battleford)

Bethany Home, Salvation Army
(Saskatoon)

Big Brothers, Big Sisters
(Saskatoon)

Calder Centre
(Saskatoon)

Canadian Council of Child and Youth Advocates
(throughout Canada)

Child and Youth Mental Health Services
(Cypress Health Region, Five Hills Health Region, Kelsey Trail Health Region, Prairie North Health Region, Sunrise Health Region, Sun Country Health Region)

Children North ECIP
(La Ronge)

Children's Haven
(Prince Albert)

Churchill Community High School
(La Ronge)

Coalition of Indigenous Peoples of Saskatchewan
(Saskatoon)

Concern for Youth
(North Battleford)

Connaught School
(Regina)

Core Neighbourhood Youth Co-op
(Saskatoon)

Crisis Nursery
(Saskatoon)

Crystal's Home
(North Battleford)

Dube Centre
(Saskatoon)

Drumming Hill Youth Centre
(North Battleford)

Eagles Nest Youth Ranch
(North Battleford, Prince Albert, Saskatoon, Christopher Lake)

Egadz
(Saskatoon)

Early Childhood Intervention Program
(North Battleford, Prince Albert)

Envision Counselling & Support Center
(Weyburn, Estevan)

Estevan Family Centre
(Estevan)

Family Futures
(Prince Albert)

Family Service Regina
(Regina)

Father Porte Memorial Dene School
(Black Lake First Nation)

Federation of Sovereign Indigenous Nations
(Saskatoon)

First Nations Family Support Working Group
(Saskatoon)

First Nations University of Canada
(Prince Albert)

Friendship Center
(Regina, La Loche, Prince Albert, La Ronge)

Gamin Abet Child and Youth Homes
(Moose Jaw)

Gemma House, Salvation Army
(Regina)

Good Spirit School Division
(Yorkton)

Gordon Tootoosis Nikaniwin Theatre
(Saskatoon)

Grace Haven, Salvation Army
(Regina)

Healthy Mother, Healthy Baby Program
(Saskatoon)

Hope's Home
(Saskatoon, Regina)

Hudson Bay Family and Support Centre
(Hudson Bay)

J.T's Home
(Swift Current)

Joe's Place
(Moose Jaw)

John Howard Society
(Saskatoon, Regina)

Judge Bryant School
(Regina)

Kanaweyimik Child and Family Services
(North Battleford)

Kids in Transition Shelter, YWCA
(Regina)

Kids First North
(La Ronge)

Kilburn Hall Youth Center
(Saskatoon)

King George School
(Saskatoon)

North Battleford Youth Centre
(North Battleford)

Kitchener Community School
(Regina)

La Loche Community School
(La Loche)

Lac La Ronge Child and Family Services
(La Ronge)

La Ronge Extra-Judicial
Measures Program
(La Ronge)

La Ronge Teen Young Parent Program
(La Ronge)

Leading Thunderbird Youth Lodge
(Fort Qu'Appelle)

Living Sky School Division
(North Battleford)

Lloydminster Community Youth Centre
(Lloydminster)

Margaret's Place
(Saskatoon)

Martha Cachene's Home for Youth
(Regina)

Meadow Lake Child and Family Services
(Flying Dust First Nation)

Meadow Lake Tribal Council Education
(Flying Dust First Nation)

Ministry of Justice, Corrections and
Policing Division
(Lloydminster, Meadow Lake, Kindersley,
Moose Jaw, Nipawin, Prince Albert, Swift
Current, Weyburn, Estevan and Yorkton)

Ministry of Social Services
(Fort Qu'Appelle, Lloydminster,
Meadow Lake, Melfort, Moose Jaw,
Nipawin, Prince Albert, Regina,
Rosetown, Saskatoon, Swift Current,
Weyburn, Estevan)

Montreal Lake Child and Family
Service Agency
(Montreal Lake First Nation)

Moose Jaw Public Library
(Moose Jaw)

National Council of Women of Canada
(Saskatoon)

Native Coordinating Council
(Prince Albert)

Nechapanuk Centre Child and
Family Services
(Red Earth First Nation)

North Battleford Youth Centre
(North Battleford)

North East Early Childhood
Intervention Program
(Tisdale)

Onion Lake Child and Youth
Group Home
(Onion Lake First Nation)

Onion Lake Family Services
(Onion Lake First Nation)

Out Saskatoon
(Saskatoon)

Parkridge Center
(Saskatoon)

Paul Dojack Youth Center
(Regina)

Pelican Lake Youth Lodge
(Pelican Lake First Nation)

Peter Ballantyne Child and
Family Services
(Peter Ballantyne Cree Nation)

Pleasant Hill Community School
(Saskatoon)

Prairie South School Division
(Moose Jaw)

Prairie Spirit Connections
(Regina)

Prince Albert Grand Council
(Prince Albert)

Prince Albert Grand Council Group
Home Cottages
(Prince Albert)

Prince Albert Kids First
(Prince Albert)

Prince Albert Regional Intersectoral
Committee
(Prince Albert)

Prince Albert Youth Residence
(Prince Albert)

Princess Alexandra School
(Saskatoon)

QBOW Child and Family Services
(Fort Qu'Appelle)

Rainbow Youth Centre
(Regina)

Ranch Ehrlo Society
(Buckland, Prince Albert, Corman Park,
Pilot Butte, Regina)

Regina Public School Division
(Regina)

Rural Early Childhood Coalition
(Spiritwood)

Saskatchewan Association of
Social Workers
(Regina, Swift Current)

Saskatchewan First Nations Family and
Community Institute
(Saskatoon)

Saskatchewan Foster Families Association
(Regina, North Battleford, Lloydminster, Saskatoon, Prince Albert)

Saskatchewan Legislative Assembly
(Regina)

Saskatchewan Youth in Care and Custody Network
(Moose Jaw, Regina, Saskatoon)

Saskatoon Aboriginal Professionals Association
(Saskatoon)

Saskatoon Tribal Council Child and Family Services
(Saskatoon)

Saskatoon Tribal Council Safe House
(Saskatoon)

SE Newcomers Services
(Weyburn)

Sexual Assault Services of Saskatchewan
(Saskatoon)

SIGN Group Home
(Yorkton)

Smile Services
(Estevan)

SPOKES Family Resource Centre
(Kindersley)

Stanley Mission Drop-In Center
(Stanley Mission)

Street Culture Kidz Project
(Regina)

Sturgeon Lake Child and Family Services
(Sturgeon Lake)

Sundance Haven Home
(Prince Albert)

Thomas' Circle of Care
(Regina)

Touchwood Child and Family Services
(Punnichy)

Turning Leaf
(Regina)

University of Regina
(Regina, Saskatoon)

University of Saskatchewan
(Saskatoon)

Valley Hill Youth Treatment Centre
(Prince Albert)

Yorkton Transition Homes
(Yorkton)

Wahkotowin Child and Family Services
(James Smith Cree Nation)

West Central Crisis and Family Support Centre
(Kindersley)

West Central Early Childhood Intervention Program
(Kindersley)

Weyburn Community Connections
(Weyburn)

Yorkton Tribal Council, Child & Family Services
(Yorkton)

Youth For Christ
(Regina, Moose Jaw)

YWCA
(Prince Albert, Saskatoon, Regina)

YXEYOUthSpeaks
(Saskatoon)

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a Voice for Children and Youth